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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/569,168	02/22/2006	Alexandros Tourapis	PU030257	1709

24498 7590 06/10/2011  
Robert D. Shedd, Patent Operations  
THOMSON Licensing LLC  
P.O. Box 5312  
Princeton, NJ 08543-5312

EXAMINER
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BAYARD, EMMANUEL

ART UNIT	PAPER NUMBER
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2611

MAIL DATE	DELIVERY MODE
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06/10/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

10/569,168

Examiner

EMMANUEL BAYARD

Applicant(s)

TOURAPIS ET AL.

Art Unit

2611

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/22/10.
2. ☒ The allowed claim(s) is/are 1-50.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

Emmanuel Bayard  
Primary Examiner  
Art Unit: 2611

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement filed 9/22/10 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the submitted IDS has an incorrect serial number/attorney docket number. It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a). This is in response to amendment filed on 1/18/11 in which claims 1-50 are pending. The applicant's amendments have been fully considered therefore this case is in condition for allowance.

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance: The prior art of record fail to anticipate or render obvious the following recited features: using at least one of a plurality of reference pictures listed the reference buffer, and adapted to dynamically reorder a list of references stored in the reference buffer so that reference pictures having smaller distortion relative to the current picture are listed with higher priority in the list of active references as recited claim 47. Selecting the first reference listed in a reference list to be used as the only reference to be used to encode the pixel

Art Unit: 2611

region of the current picture as recited in claims 1, 12 and 41. Removing at least one of the listed references from the list of active references based upon a comparison of each of the removed references to the current picture as recited in claim 19. Reordering the listed references so that reference pictures having smaller distortion relative to the current picture are listed with higher priority in the list of active references as recited in claim 27. Removing one or more pictures from the reference list to create a new reference list; and then performing a second coding step of re-coding the current picture using only the pictures listed in the new reference list as recited in claim 28. Performing motion estimation coding of a current picture using each of a plurality of permutations of available references and selecting the permutation of available references that minimizes a predetermined condition as recited in claim 37.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EMMANUEL BAYARD whose telephone number is (571)272-3016. The examiner can normally be reached on Monday-Friday (7:Am-4:30PM) Alternate Friday off.

Art Unit: 2611

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chieh Fan can be reached on 571 272 3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

6/10/2011

Emmanuel Bayard  
Primary Examiner  
Art Unit 2611

/Emmanuel Bayard/  
Primary Examiner, Art Unit 2611